REMARKS

The Office Action, mailed September 2, 2005, considered and rejected claims 1, 3-4, 6-8, 11-14, 16-21, 23-24, 26-27, 30-36, 38-39, 41-46, and 48-49. Claims 1, 4, 13, and 33 were objected to because of informalities. Claims 1, 3-4, 6-8, 11-14, 16-21, 23-24, 26-27, 30-36, 38-39, 41-46, and 48-49 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bowker, D.O. et al (EP 0872990 AI) in view of Bouis et al. (U.S. Patent No. 6,741,608 B1) and further in view of newly cited Onuma (U.S. Patent No. 6,493,105 B1).[1]

The Examiner also requested that a copy of page 4 of the drawings be resubmitted. It has been enclosed accordingly. A copy of the Declaration filed on February 8, 2001 has also been resubmitted with this paper to show that the Declaration does include the signatures of Neil Fishman and Marc Seinfeld.

By this paper, claims 1, 4, 13, 33 have been amended to promote consistency of the recited claim language, as suggested by the Examiner, claims 1, 13, 20, 33 and 35 have also been amended to more clearly recite limitations that are already inherently present in the claims and new claims 50-51 have been added, while claims 45-46 have been cancelled, such that claims 1, 3, 4, 6-8, 11-14, 16-21, 23, 24, 26-36, 38, 39, 41-44 and 48-51 remain pending, of which claims 1, 13, 20, 33 and 35 are the only independent claims at issue.

As previously discussed, the pending claims are directed to embodiments for converting data in a first format into a second format. Claim 1 and the corresponding computer program product claim 13, for example, are directed to embodiments in which data is converted into the second format after first identifying a sequence of format conversion modules that, when executed in sequence, converts the data from the first data format into the second data format. These embodiments also include converting the data from the first data format into an intermediate data format using a first format conversion module in the sequence of data conversion modules and converting the data from the intermediate data format into the second data format using at least one second format conversion modules. After converting the data into

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[1] Although the prior art status and some of the assertions made with regard to the cited art is not being challenged at this time, inasmuch as it is not necessary following the amendments and remarks made herein, which distinguish the claims from the art of record, Applicants reserve the right to challenge the prior art status and assertions made with regard to the cited art, as well as any official notice, which was taken in the last office action, at any appropriate time in the future, should the need arise, such as, for example in a subsequent amendment or during prosecution of a related application. Accordingly, Applicants' decision not to respond to any particular assertions or rejections in this paper should not be construed as Applicant acquiescing to said assertions or rejections.

the second format, it is then sent to a wireless device that is associated with a telephone number that was used to help identify the sequence of format conversion modules.

The remaining independent claims are directed to methods (claim 20), computer program products (claim 33) and systems (claim 35) that focus on other embodiments in which a plurality of sequences of format conversion modules are identified to make the appropriate conversion to the second data format.

As previously amended, each of the independent claims clearly recites how the data conversion is performed in a network that includes a wireless device and how the wireless device is associated with a telephone number that is examined by the gateway to **determine that the wireless system only recognizes data in a different format than an original format.** (emphasis added). Then, based at least in part on the telephone number, the system identifies a second format to convert the data into and uses a combination of different conversion modules to perform that conversion. The data is then sent to the wireless system.

The claims were rejected in the last action based on a combination of Bowker, Bouis and newly cited Onuma. However, this new combination of art still fails to disclose, suggest or make obvious the claimed invention, inasmuch as a *prima facia* case of obviousness requires "the prior art reference (or references when combined) must teach or suggest **all** claim limitations." MPEP § 2143. Accordingly, with regard to the present claims, the Applicants respectfully submit that the art of record fails to make obvious the claimed invention, because it fails to disclose each and every claim limitation. In particular, the Examiner has acknowledged that Bowker, the primary reference, fails to disclose that 'the message is intended for a remote wireless system that has an associated telephone number; examining the message and identifying the telephone number of the remote wireless device, which is included as part of the message, determining, based on the telephone number, that the wireless system only recognizes data in one or more formats that are different than the first data format; and identifying a format conversion module based one the telephone number associated with the remote wireless device.' Page 5-6 of the last office action.

Bouis also fails to disclose or suggest these limitations. It appears that the Examiner agrees with this and has therefore used newly cited Onuma as purportedly teaching the above-identified elements that the other art fails to teach or suggest. However, in the Examiner's remarks, it is not even asserted that Onuma teaches each of these elements. For example, it is

not even asserted that Onuma teaches or suggests, among other things, a method or system wherein it is **determined based on a telephone number associated with a wireless device that the wireless device only recognizes data in a format that is different than an original data format**, as claimed.

Contrary to the present invention, Onuma appears to be directed to a system and method in which an incoming facsimile is converted into an email, addressed to a corresponding email address, and sent to that email account. Notably, Onuma's methods and systems never *determine, based on a telephone number associated with a wireless device, that the wireless device only recognizes data in a format that is different than an original data format*, as claimed. Instead, Onuma merely determines whether data will be received (based on whether the fax number is associated with an email address in a comparison table (col. 3, ll. 65-67). Then, if there is adequate memory, the data is converted into an email and the fax number is replaced by a destination email address (Col. 5, ll. 19-32).

Onuma and the other cited art also clearly fail to disclose or suggest that the converted data is transmitted to the wireless device having the associated telephone number only after being converted into the second format, as claimed. To the contrary, Onuma teaches that the converted data is transmitted to an email address, and apparently not to the claimed wireless device having the associated telephone number. At the very least, Onuma and the other art clearly fail to teach or suggest that the converted data is transmitted to the wireless device over a wireless network, after being converted into the second format. (new claim 51)

Although the forgoing remarks have focused primarily on the independent claims, it will be appreciated that, for at least the foregoing reasons, all of the other rejections and assertions of record with respect to the independent and dependent claims are now moot, and therefore need not be addressed individually.[2] However, some of the dependent claims will be addressed to even further distinguish the invention.

The new dependent claim 50, for example, further distinguishes the claimed invention from the art of record by clarifying an embodiment in which the wireless device is a mobile telephone. In this regard, the cited art clearly fails to disclose or suggest a method, as described

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[2] However, in this regard, it should be appreciated that Applicants do not necessarily acquiesce to any assertions in the Office Action that are not specifically addressed above, and hereby reserve the right to challenge those assertions at any appropriate time in the future, should the need arise, including any official notice.

above, wherein the message that is converted from the first format into the second format and sent to a wireless mobile telephone. Support for this new claim, as well as claim 51, is found within Figure 2 and pages 16 (lines 14-23), page 20 (line 23), and page 23 (line 18).

Applicants would also like to point out that the cited art fails to disclose or suggest the embodiment recited in claim 44, wherein the second data format corresponds to a network protocol that is proprietary with the remote wireless device.

For at least the forgoing reasons, Applicants submit that the pending claims 1, 3-4, 6-8, 11-14, 16-21, 23-24, 26-36, 38-39, 41-44, and 48-51 are distinguished over the art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this 2 day of December, 2005.

Respectfully submitted,

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